

May 30, 2019

Mr. Austin R. Evers
American Oversight
1030 15th Street NW, Suite B255
Washington, DC 20005
Via Electronic Mail at: foia@americanoversight.org

Re: FOIA Request # 201800069F

Dear Mr. Evers:

This is the final response to your Freedom of Information Act (FOIA) request to the Export-Import Bank of the United States (Ex-Im Bank). We received your request in our FOIA Office via E-mail on July 13, 2018. You requested:

1. All records reflecting communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp), telephone call logs, calendar invitations/entries, meeting notices, meeting agendas, informational material, draft legislation, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials) between 1) the Office of the Chairman or the Office of Congressional and Intergovernmental Affairs and 2) any representatives of the Harley-Davidson Motor Company (or any of its corporate affiliates) including, but not limited to, Edward Moreland, April Canter Bohrer, and individuals with email addresses ending in harley-davidson.com.
American Oversight seeks all records from March 1, 2018, to the date the search is conducted
2. All communications (including but not limited to emails, email attachments, text messages, and electronic chat messages) of political appointees* in the Office of the Chairman or the Office of Congressional and Intergovernmental Affairs containing the search terms listed below:
 - a) Harley
 - b) Harleys
 - c) "Harley-Davidson"
 - d) motorcycle
 - e) motorcycles
 - f) Moreland
 - g) Levatich

American Oversight seeks all records from March 1, 2018, to the date the search is conducted. We conducted a comprehensive search of the files within the Office of Congressional and Intergovernmental Affairs, Office of the Chief of Staff and the Office of Information Management and Technology for records that would be responsive to your request. These are the components within Ex-Im Bank in which responsive records could reasonably be expected to be found. The search produced the attached records. After carefully reviewing the responsive documents, we have determined they are

releasable in their entirety; no deletions or exemptions have been claimed. For your convenience, we are attaching the documents to this message as a PDF.

If you are not satisfied with the response to this request you may administratively appeal by writing to the Export-Import Bank of the United States, Attention: Assistant General Counsel for Administration, 811 Vermont Avenue, N.W., Washington, D.C., 20571. Your appeal must be postmarked or electronically transmitted within 90 days of the date of the response to your request. You may also submit an appeal via E-Mail at FOIA.Appeals@exim.gov. The phrase "FOIA APPEAL" should appear on the letter and on the outside of the envelope containing the appeal or in the "Subject" line of the E-Mail.

You may contact our FOIA Public Liaison at (202) 565-3290 for any further assistance and to discuss any aspect of your request. Additionally, you may contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA mediation services they offer. The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, email at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the FOIA. See 5 U.S.C. §552(c) (2006 & Supp. IV 2010). This response is limited to those records that are subject to the requirements of the FOIA. This is a standard notification that is given to all of our requesters and should not be taken as an indication that excluded records do, or do not, exist.

Ex-Im Bank's FOIA regulations at 12 C.F.R.404.9 (a) state that Ex-Im Bank shall charge fees to recover the full allowable direct cost it incurs in processing request, but as a courtesy, we are waiving all fees.

If you have any questions about this request, please contact Mrs. Natascha Joyner at (202) 565-3248 or by E-Mail at Natascha.Joyner@exim.gov.

Sincerely,

**LISA
TERRY** Digitally signed
by LISA TERRY
Date: 2019.05.30
14:42:56 -04'00'

Lisa V. Terry
Chief FOIA Officer

Attachment: Responsive Document (PDF)

From: [Jennifer Hazelton](#)
To: [Scott Schloegel](#)
Cc: [Jesse Law](#); [Jeffrey Goettman](#)
Subject: Re: Ross on This Week
Date: Sunday, March 04, 2018 10:52:31 PM

Scott,

See quotes highlighted below in the transcript in yellow. We'll pull the video, though we don't have fair use rights. We'll save the quotes and turn the highlighted ones into social posts.

JH

Mr. Secretary, thank you for joining us this morning.

WILBUR ROSS, COMMERCE SECRETARY: Good to be on with you, George.

STEPHANOPOULOS: Are we still going to see the formal announcement of these tariffs this week?

ROSS: I believe so. I don't know exactly what day, because the lawyers are working away, but some time this week.

STEPHANOPOULOS: You've got a lot of allies lobbying for modifications before the formal announcement. Will the president consider exempting any countries, allies like Canada and Mexico, Germany, or is this going to be a blanket imposition of tariffs?

ROSS: Well, I know he's had conversations with the number of the world leaders. The decision, obviously, is his. But as of the moment, as far as I know, he's talking about a fairly broad brush.

STEPHANOPOULOS: So, no exemptions?

ROSS: As I say, I have not heard him describe particular exemptions just yet.

STEPHANOPOULOS: What is the national security threat posed by steel imports from our allies like Canada, Mexico, South Korea, Japan?

ROSS: Well, under 232, which is the legislative provision under which we're imposing these tariffs, national security is very broadly defined. It isn't just military defense, that part is a small percentage of steel, but it also includes the impact on the economy overall, it specifically includes the impact on jobs, includes the impact on infrastructure, all kinds of things that you would not necessarily think are national security, but **the truth is economic security is national security.**

STEPHANOPOULOS: As you know, Europeans have vowed to retaliate against Harley Davidson, bourbon and blue jeans. And President Trump responded to that threat yesterday with this tweet, I want to put it up on the board, that says, "if the EU wants to further increase their already massive tariffs and barriers on U.S. companies doing business there, we will simply apply a tax on their cars, which freely pour into the U.S. They make it impossible for our cars and more to sell there. Big trade imbalance."

It certainly sounds like we're already in a trade war.

ROSS: Well, think about it, **we have unilaterally given away all kinds of concessions ever since the end of World War II.** And in the beginning that was probably good policy to rebuild Europe and rebuild Asia after the ravages of the war. The mistake that our trade negotiators made way back then and continued to make was not time limiting it, **concessions that were perfectly reasonable to make to Germany in 1945 or China in 1945 don't**

make sense anymore. Those are now very mature, big, strong economies.

So, there's a lot of history that needs to be undone.

STEPHANOPOULOS: Well, that means -- that sounds like we are in for some more escalation. The president said also in a tweet earlier this week the trade wars are good and easy to win. Do you believe that? Are trade wars good and easy to win?

ROSS: Well, I think what the president had in mind was that unlike the Smoot-Hawley days in the 1930s, back then U.S. had a big trade surplus and the world was in a depression. Now, we have a big trade deficit. Well, if we have big trade deficit with our other partners, they have a lot more to lose than we do, because those hundreds of billions of dollars in their pockets now, not ours.

STEPHANOPOULOS: It sounds like...

ROSS: So, that's what I believe he meant.

STEPHANOPOULOS: It sounds like a lot -- (ph)

ROSS: So that's what I believe he meant.

STEPHANOPOULOS: It sounds like a lot of the president's political allies believe this is going to hurt their voters in their states. You've got the Speaker of the House Paul Ryan warning against unintended consequences. You're already seeing electoral elects (ph) in Tennessee put on hold a \$250 million (ph) investment. The Wall Street Journal says this is the biggest policy blunder of the Trump presidency, that it's going to cost jobs, cost American consumers.

ROSS: That's really not true. Let me give you some actual numbers. Those

sloganeerings don't really mean much until you put them into numbers. On an average car, it's \$175 worth of steel increase is the maximum that would come from a 25 percent tariff increase. That's not much.

STEPHANOPOULOS: But that's assuming no more retaliation from the Europeans.

ROSS: No, let me continue. Similarly, all the other products, the total amount of tariffs we're putting on is about \$9 billion in a year. That's a fraction of one percent of the economy. So the notion that it would destroy a lot of jobs, raise prices, disrupt things is wrong. As to the idea of retaliation, sure they (ph) may well be some sort of retaliation. But the amounts that they're talking about are also pretty trivial. It's some \$3 billion-odd of goods that the Europeans have threatened to put something on.

Well in our size economy, that's a tiny, tiny fraction of one percent. So while it might effect an individual producer for a little while, overall it's not going to be much more than a rounding error.

STEPHANOPOULOS: Certainly sounds like the president's going to go forward and (ph) you're committed going forward as well. Any concern that if the president goes forward this week, his top economic advisor in the White House, Gary Cohn will resign?

ROSS: Gary Cohn has been a big participant in the interagency process that came to this conclusion. The president likes to hear every side of every argument, that way he's sure he's gotten all points of view. And so we've had lively discussion, but Gary Cohn, as far as I know, is certainly not going to walk out.

STEPHANOPOLOUS: Mr. Secretary, thanks for your time this morning.

ROSS: Thank you.

From: Scott Schloegel
Sent: Sunday, March 4, 2018 8:01:44 PM
To: Jennifer Hazelton
Cc: Jesse Law; Jeffrey Goettman
Subject: Ross on This Week

Please pull Sec Ross's quotes from today's show. He said:

Economic security is national security

And

We have unilaterally conceded many economic positions since WWII.

Thanks

Scott P. Schloegel
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